

PROCEEDINGS OF THE MARTIN
COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 19, 2008
@ 9:00 A.M.

The regular meeting of the Martin County Board of Commissioners was called to order at 8:58 a.m. by Chairman Pierce.

Those present were Commissioners Donnelly, Schmidtke, Boler, and Potter. Also present were Scott Higgins, Martin County Coordinator, James Forshee, Martin County Auditor/Treasurer, Kevin Peyman, Martin County Highway Engineer, Sheriff Brad Gerhardt, Rod Halvorsen, KSUM/KFMC Radio, Terry Viesselman, Martin County Attorney, Jennifer Brookens, Sentinel Newspaper, Julie Walters, Administrative Assistant, and members of staff and public.

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve the agenda with the following addition: Consider Award of C.P. 08:01 Bituminous Material for Sealcoat Project – Highway Department. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the minutes of the February 5, 2008 regular Board of Commissioners meeting as presented. Carried unanimously.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the renewal of Liquor, Wine, Club or 3.2% License with Sunday Sales for Rose Lake Golf Club. Carried unanimously.

Scott Higgins, Martin County Coordinator, reintroduced the farm lease agreement between the County of Martin and Tim Maschoff, of Rutland Township, for 10.8 farmable acres (15.88 total acres) of land in Government Lot 7 of Section 6, Township 103 North, Range 30 West. Higgins stated the Building & Purchasing Committee has reviewed the lease and recommends approving the current lease to include a 3% increase of \$103.00 per acre or \$1,112.40 payable in one (1) installment on or before March 1, 2008. Said lease is effective March 1, 2008 through February 28, 2009. After discussion,

Motion by Commissioner Potter, seconded by Commissioner Schmidtke, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Board Chair to sign Farm Lease Agreement between Martin County and Tim Maschoff, with the new full lease term of one (1) year from and after the 1st day of March, 2008 and ending the 28th day of February, 2009; at an increased rental rate of \$103.00/acre or \$1,112.40 payable in one (1) installment due on or before March 1, 2008. Carried unanimously.

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Martin County Building & Purchasing Committee to move forward with the sale of 15.88 acres of County owned land in Rutland Township, for 10.8 farmable acres (15.88 total acres) of land in Government Lot 7 of Section 6, Township 103 North, Range 30 West for possession in 2009. Carried unanimously.

Terry Viesselman, Martin County Attorney, was present and had nothing to report.

Kevin Peyman, Martin County Highway Engineer, stated that the Bid Letting for C.P. 08:01 Supplying Bituminous Material for Sealcoating was held on Friday, February 15, 2008 at 10:00 a.m. at the Martin County Highway Department – Fairmont, MN. Two bids were received:

| Specification or Item Number | Item Description | Approx. Qty. | Unit Price | Total Amount |
|------------------------------|---|--------------|---|--|
| 2356.505 | Bituminous Material for Sealcoat MC 3000 Liquid Asphalt | 50 Tons | Flint = 479.85 Jebro = 465.94 | Flint = 23,992.50 Jebro = 23,297.00 |
| 2356.505 | Bituminous Material for Sealcoat CRS 2P Liquid Asphalt | 400 Tons | Flint = 414.24 Jebro = 425.04 | Flint = 165,696.00 Jebro = 170,016.00 |
| 2356.505 | Bituminous Material for Sealcoat HFMS 2P Liquid Asphalt | 135 Tons | Flint = 414.24 Jebro = No Bid | Flint = 55,922.40 Jebro = No Bid |

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, after the appropriate advertisement for bids; and upon receiving bids for C.P. 08:01; and upon the recommendation of the County Engineer, hereby approve and award the low bid for Bituminous Material for Sealcoating project to Flit Hills Resources, LP in the amount of \$245,610.90; and to authorize the Chair and County Staff to sign and execute the necessary documents for the listed project. Carried unanimously.

Peyman informed the Board of the Project CR #36 landowners meeting to be held Tuesday evening, February 19th, 2008 at the Trimont City Hall, beginning at 7 p.m.

Peyman concluded that it sounds like the Minnesota House of Representatives will be voting on a Transportation Bill on Thursday morning; however the proposed bill does not have Governor Pawlenty's support.

Commissioners discussed contacting Senator Rosen and Representative Gunther to consider voting in favor of the upcoming Transportation Bill.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize Martin County Coordinator and Martin County Highway Engineer to send letters of support to Senator Rosen and Representative Gunther to consider voting in favor of the upcoming Transportation Bill. Carried unanimously.

Brad Gerhardt, Martin County Sheriff, was present to recommend the promotion of Matthew Owens to Deputy Sheriff/Investigator for the Sheriff's Office.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Sheriff, hereby approve and authorize the promotion of Matthew Owens to Deputy Sheriff/Investigator for the Martin County Sheriff's Office, at \$26.03/hour effective March 2, 2008. Carried unanimously.

Gerhardt next recommended the promotion of Clinton Cole from Part-Time Deputy to Full-Time Deputy.

Motion by Commissioner Schmidtke, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, upon the recommendation of the County Sheriff, hereby approve and authorize the promotion of Clinton Cole to Full-Time Deputy for the Martin County Sheriff's Office, at \$20.99/hour effective February 29, 2008. Carried unanimously.

Gerhardt presented the Sheriff's Office Response Time Policy. Gerhardt went on to state that in a continued and necessary effort to ensure professional law enforcement, as well as the safety and well being of all Martin County Citizens, all post licensed Deputy Sheriff's shall live within a 30 minute travel range of the Martin County Law Enforcement Center in order to meet the minimum response time. This requirement shall help improve employee performance by placing the employee in a position to respond more timely to emergency calls for service (while obeying all traffic laws). Those employees who choose to live outside Martin County will not be allowed to take a county vehicle to their residence. This restriction will allow easier access to county vehicles in situations where additional emergency vehicles and equipment are necessary.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve the Sheriff's Office Response Time Policy as presented, designating all post licensed Deputy Sheriff's shall live within a 30 minute travel range of the Martin County Law Enforcement Center. Carried unanimously.

Kathy Smith, SWCD District Manager, was present and stated that Martin County will be receiving the 2008 Natural Resources Block Grant and that money from this grant will provide funding for the following county programs and services: implementation of its comprehensive local water plans in the amount of \$18,033; the administration of the wetland conservation act in the amount of \$10,000; administration of the DNR shoreland program in the amount of \$3,445; MPCA ISTS program in the amount of \$10,000; and MPCA feedlot permit program in the amount of \$68,713; total grant amount of \$110,191. This grant agreement is effective July 1, 2007 to June 30, 2009.

Motion by Commissioner Potter, seconded by Commissioner Boler,

RESOLUTION

BOARD OF WATER AND SOIL RESOURCES NATURAL RESOURCES BLOCK GRANT FOR CY2008:

WHEREAS, Martin County has a State approved comprehensive local water plan, which has been locally adopted pursuant to Minnesota Statutes Chapter 103B; and

WHEREAS, Martin County may assess a levy under its general levy authority to match such grants by BWSR pursuant to Minnesota Statutes 103B.335;

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners approves of Martin County entering into a Grant Agreement with the State of Minnesota to receive state funds for the implementation of its comprehensive local water plans in the amount of \$18,033; the administration of the wetland conservation act in the amount of \$10,000; administration of the DNR shoreland program in the amount of \$3,445; MPCA ISTS program in the amount of \$10,000; and MPCA feedlot permit program in the amount of \$68,713; total grant amount of \$110,191 under the terms of the Grant Agreement and all statutory requirements; and

THAT THE Martin County Board of Commissioners authorizes the expenditure of cash and in-kind contributions to match the Natural Resources Block Grant as specified in Laws of Minnesota and the Grant Agreement.

BE IT FURTHER RESOLVED THAT, the Chairperson of the Martin County Board of Commissioners and the County Auditor or County Coordinator is authorized to execute the Grant Agreement together with all related documents.

Motion was made by Commissioner Potter, seconded by Commissioner Boler, and was duly passed and adopted this 19th day of February, 2008.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Chair

ATTEST: _____
Scott Higgins, County Coordinator

Roll Call AYES: Commissioners Donnelly, Schmidtke, Boler, Potter, and Pierce.
NAYS: None. Duly passed and adopted this 19th day of February, 2008.

Rich Perrine, WCA/Water Plan Coordinator, and Smith continued with a district activity update that included information on: DNR Shoreland Grant total grant awarded in the amount of \$25,000; FY2008 Surface Water Assessment Monitoring Grant (SWAG) Des Moines River Watershed total grant awarded in the amount of \$44,000; LCCMR Grant – Prairie Eco-System Restoration Project total grant awarded in the amount of \$80,000; GBERBA – ISTS – clean Water Legacy Funds (CWL) total grant awarded in the amount of \$10,000; 319 Urban Stormwater Specialist – shared with Faribault County Small Cities; Proposal for Cooperative Weed Management Area BWSR Grant; and the University of Minnesota Elm Creek Research Demonstration Project Update.

Pam Flitter, Planning/Zoning Official, presented the Minnesota Pollution Control Agency's (MPCA) revised rules for the regulation formerly known as Individual Sewage Treatment Systems (ISTS) and now known as Subsurface Sewage Treatment Systems (SSTS). Flitter stated the original chapter for ISTS was called Chapter 7080 and has been replaced with four chapters: Chapter 7080, "Design Standards for Individual Subsurface Sewage Treatment Systems," Chapter 7081, "Midsized Subsurface Sewage Treatment Systems," Chapter 7082, "Requirements for Local SSTS Programs," and Chapter 7083, "Subsurface Sewage Treatment Systems Licensing and Certification Program, Product Registration Program and Advisory Committee." Flitter went on to state all Minnesota counties are required to adopt, administer, and enforce these environmental protection standards through our county ordinances. The ordinances must be updated to the minimum standards of Chapter 7080 and 7081 and in accordance with 7082 within 24 months of the effective date of those chapters or by February 4, 2010. Flitter noted a concern she does have that will begin with this construction season is that Chapter 7082 requires that vertical separation reports must include verification by two independent parties, which is the licensed contractor (designer) and a qualified employee inspector (county) and the verification must be done before a Certificate of Compliance is issued. Flitter continued the verification may be done at any time in the permitting and construction process of the septic system according to the rule and once soils are verified the soils are not reviewed again for the life of the system. Flitter concluded that through the 2008 Natural Resources Block Grant, Martin County will receive \$10,000 to administer the SSTS program for 2008 including set up of an SSTS data base.

Dan Whitman, Martin County Assessor, stated that the county's tax and Computer Aided Mass Appraisal (CAMA) software systems license expires on December 31, 2008. Whitman went on to state that although the county was going to purchase a new software system through Manatron, Manatron is behind schedule in the implementation of their system and currently does not have a product that fits our requirements. Manatron is in the process of redeveloping their system which means their software product is not going to be available for quite awhile; therefore Whitman is recommending that the county sign a CAMA three year maintenance and support contract extension with the current vendor for the county - ACS. Whitman concluded that by signing the maintenance and support contract for a three year period, the county will actually be saving money as opposed to signing for a lesser term and then adding on service at a later date.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby ratifies the CAMA-USA Maintenance and Support Agreement between ACS State & Local Solution, Inc. and the Minnesota Counties Computer Cooperative (MCCC) for the maintenance and support of CAMA-USA only for a three-year contract term effective January 1, 2009 through December 31, 2011 in the amount of \$2,625 per quarter Year 1: 1/01/09 to 12/31/09; \$2,757 per quarter Year 2: 1/01/10 to 12/31/10; and \$2,895 per quarter Year 3: 1/01/11 to 12/31/11. Carried unanimously.

Fairmont Triathlon committee members Mike O'Rourke and Phil Hanson, presented information on this year's Fairmont Triathlon to be held Sunday, June 15, 2008 Father's Day Weekend beginning at 8:30 a.m. at Gomsrud Park in Fairmont, MN. At last year's event there were 170 registrants and this year the committee is hoping to attract 400 registrants. The Fairmont Triathlon committee is requesting Board support of this year's Triathlon and also for Martin County Highway Department, Martin County Sheriff's Office, and Martin County Express Transit System support.

Motion by Commissioner Potter, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby support the Fairmont Triathlon to be held Sunday, June 15, 2008 beginning at 8:30 a.m. at Gomsrud Park in Fairmont, MN; and to authorize use of Martin County Highway Department, Martin County Sheriff's Office, and Martin County Express Transit System's equipment and services. Carried unanimously.

Steve McDonald, MIS Director, reviewed a letter received from Minnesota Counties Computer Cooperative (MCCC) regarding the Manatron Tax Project Update stating that the Manatron project is behind schedule and is working to create a confirmed rollout schedule; but at this time we aren't sure when that will be. McDonald also stated the Manatron Project Steering Committee is coordinating a contingency plan to cover counties requiring ACS Maintenance and Support in 2009 due to delays in the Manatron implementation. McDonald will continue to update the Board as more information becomes available.

Doug Landsteiner, Veteran's Service Officer, was present to recommend increasing the VSO van drivers' per diems for transporting area veterans to medical appointments in Minneapolis, MN or Sioux Falls, SD. Landsteiner stated van drivers currently receive \$60 per day and that this per diem has not changed in the six years that he has been Veterans Service Officer for Martin County. Landsteiner continued that at a minimum, a real short trip to either Minneapolis or Sioux Falls is going to be at least five and one-half hours and that is absolutely the shortest you could possibly do. Landsteiner noted that the majority of the van drivers days are 12 hours plus and yet they receive a straight \$60. Landsteiner went on to note that a couple of the van drivers have mentioned that it would be nice if they would get an increase. Landsteiner recommended bumping the daily rate from \$60 per day to \$70 per day or to keep at \$60 per day for six hours and if their days end up at eight hours plus, then bump up the pay to \$80. Landsteiner went on to state he had checked with some other counties to see what their VSO van drivers received for per

diems: Watonwan County pays their drivers \$70 per day; Renville County pay part-time drivers \$10 per hour; Stevens County and Polk County are currently recommending an increase for their drivers from \$60 per day to \$75 per day.

Commissioner Pierce asked what type of budget implications this will have on the VSO budget.

Landsteiner stated that revenue from fees collected from veterans that get travel pay will be increased amounting to several thousand dollars this year; and by keeping the per diem at \$60 up to eight hours and then bump up to \$80 per day, this would have less of an impact. Landsteiner noted that they average about three trips a week and if the per diem was increased from \$60 per day to \$70 per day, that's about a \$30 per week increase.

After discussion,

Motion by Commissioner Boler, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the increase in per diems for VSO van drivers from \$60 per day to \$70 per day effective February 19, 2008. All voting in favor: Commissioners Boler, Donnelly, and Pierce. Opposed: Commissioners Potter and Schmidtke. Motion carried.

The Board recessed at 10:10 a.m.

The Board reconvened at 10:15 a.m.

Barbara Cullen, CPA with the State of Minnesota Office of the State Auditor, presented and reviewed the 2006 County Audit with the Board.

Motion by Commissioner Donnelly, seconded by Commissioner Boler, Be It Resolved that the Martin County Board of Commissioners, hereby receive and accept the 2006 County Audit Report as presented by the Office of the State Auditor. Carried unanimously.

Higgins stated that the Pay Plan Review Committee has formulated and recommends a new one page employee performance appraisal form including definitions of each appraisal factor. Higgins stated that the rating system would include three rating standards as follows: N – Needs Improvement (Needs to show improvement; barely meets minimum requirements of job); M – Meets Expectations (Consistently meets job requirements in a successful manner); and E – Exceeds Requirements (Frequently exceeds job requirements). Higgins stated that while this really simplifies the form, the current number rating (1-5) system will no longer be in place. Higgins also stated that Department Heads have not yet given final review of the proposed appraisal form.

Commissioner Pierce stated his concerns for some sort of quantitative scoring system and doesn't see how that is done on this form that is being presented. Pierce inquired the point of having an evaluation if there are no ramifications for not meeting job performance criteria.

Higgins stated the Committee's recommendation is to have pay increases based on the recommendation of the Department Head and not based on a score.

The response discussion included that the purpose of reevaluating the format was to move away from a number scoring system.

Commissioners continued to discuss their concerns with the recommended evaluation form that included: Department Heads giving staff all "E's" the same way they gave all "5's" to ensure that staff received an increase; Departments Heads recommending an increase for staff that have five "N's" on their evaluation form while not recommending another staff member that has two "N's" on their evaluation form; the prospect of staff not performing to job standards but still gets recommended for an increase; evaluation form should still have some sort of a scoring system; and the need for Department Heads to really understand the evaluation process and form and to train accordingly.

Higgins stated he would present the recommended employee appraisal form to the Department Heads to get their input and report back to the Board.

After further discussion, no action taken at this time.

Higgins stated the Pay Plan Review Committee has recommended that Step 13-15 be achieved as follows: Eligible for Step 13 after two (2) years with satisfactory evaluation as recommended by the Department Head/Supervisor; Eligible for Step 14 after two (2) more years with a satisfactory evaluation as recommended by the Department Head/Supervisor; and Eligible for Step 15 after two (2) more years with satisfactory evaluation as recommended by the Department Head/Supervisor.

Commissioner Pierce presented Martin County employee pay increase statistics he researched dating back to 1997 when substantial raises were given across the board in that year as well as in 2001 after the Classification and Compensation study was implemented. Pierce continued that basically we have doubled the wage levels in the last ten years and how do we justify automatic step increases and moving beyond Step 12. For example, employees that were at the \$8.66 per hour pay level in 1997 are now making \$18.86 per hour doing the exact same job. This type of pay movement does not happen in the private sector. We have gone from a pay schedule that used to have five and six steps to ten steps in 1997 to a 12 step schedule in 2001 and now everyone wants to go to 15 steps.

Much discussion ensued between the Commissioners including: entering into arbitration on Steps 13, 14, and 15 before contract negotiations begin; employees need to remember their employee benefit package is also part of their overall compensation; if approve steps 13 through 15 as presented, in six years' time steps 16 through 20 will be requested; and due to a number of factors the Board took action that would allow step movement to Step 12 based on the performance evaluation, supervisors recommendation, and final board approval, and anything beyond that step is upon Board approval.

After further discussion, no action taken at this time.

Higgins stated that the Martin County Economic Development Authority (MCEDA) is obtaining insurance coverage through the Minnesota Counties Insurance Trust (MCIT) and as part of obtaining coverage and membership; MCIT requires a letter from the County Board for sponsorship of MCEDA for membership.

Motion by Commissioner Boler, seconded by Commissioner Potter, Be It Resolved that the Martin County Board of Commissioners, hereby approve and authorize the Board Chair to sign a letter to sponsor the Martin County Economic Development Authority (MCEDA) for membership to the Minnesota Counties Insurance Trust (MCIT) in order to obtain the necessary insurance coverage for MCEDA. Carried unanimously.

Motion by Commissioner Schmidtke, seconded by Commissioner Donnelly, Be It Resolved that the Martin County Board of Commissioners, hereby approve the payment of claims for the month of February, 2008 as presented; including Martin County Highway Department claims as presented. Carried unanimously.

Warrants received and paid February 19, 2008 are registered on file in the Auditor/Treasurer's Office as follows:

| | |
|--|--------------|
| Revenue Fund – Warrants Approved February 19, 2008 | \$252,635.84 |
| Park & Recreation Fund | \$ 2,447.29 |
| Enhanced 9-1-1 Fund | \$ 10.19 |
| Recreation and Safety Fund | \$ 4,632.72 |
| Solid Waste Management Fund | \$ 33,802.92 |
| Law Library Fund | \$ 3,928.86 |
| Martin County Transit Fund | \$ 36,446.76 |
| Ind. Sewage Treatment Sys. Loan FD (ISTS) | \$ 10,007.00 |
| Building-CIP-Fund | \$ 42.55 |
| Bank Building Fund | \$ 11,172.44 |
| Debt Service Fund | \$ 59,058.75 |
| Debt Service-Prairieland Fund | \$ 37,860.38 |
| Forfeited Tax Fund | \$ 278.35 |
| Grand Total | \$452,324.05 |
| Martin County Ditch Fund – Warrants Totaled | \$ 12,118.94 |
| Road and Bridge Fund – Warrants Totaled | \$187,478.91 |

The Board gave their reports and reviewed their calendars of upcoming meetings and activities.

With no further business to wit, Board chair declared the meeting adjourned at 11:59 a.m.

BOARD OF COMMISSIONERS
MARTIN COUNTY, MN

Steve Pierce, Board Chair

ATTEST: _____
Scott Higgins, Martin County Coordinator